

AMNESTY INTERNATIONAL PUBLIC STATEMENT

MDE 15/6848/2023

ISRAEL/OPT: INVESTIGATE POSSIBLE WAR CRIMES DURING ISRAEL'S MILITARY OFFENSIVE ON GAZA IN MAY 2023

A 21-year-old Palestinian medical student killed by a “precision-guided” Israeli bomb while studying; a four-year-old Palestinian girl killed in her sleep during an Israeli air strike; a young Palestinian woman living with a disability left without her electric wheelchair when Israeli bombs destroyed her home without adequate warning. These are just a few of the victims of Israel's latest military assault on the occupied Gaza Strip.

The assault began on 9 May 2023 with the targeted killing of three high-ranking commanders of Al-Quds Brigades, the armed wing of Palestinian Islamic Jihad. On that first night of bombing, 10 Palestinian civilians were killed and over 20 were injured, a high toll that could and should have been avoided by those planning, ordering and authorizing the attack.

During the five-day offensive, which ended on 13 May, Amnesty International documented the killing by Israeli forces of 31 Palestinians, including 11 civilians, as well as substantial destruction and damage to Palestinian property. Amnesty International also documented the killing by inherently inaccurate rockets fired by Palestinian armed groups of three Palestinian civilians in the Gaza Strip and two civilians in Israel.

Amnesty International is calling on the Office of the Prosecutor of the International Criminal Court (ICC) to investigate as possible war crimes the apparently unlawful killings of Palestinian civilians by Israeli forces as well as the extensive destruction of Palestinian civilian homes and buildings during the military assault. It is also calling on the Court to investigate as possible war crimes the firing by Palestinian armed groups of inherently inaccurate rockets in and at areas populated by civilians during Israel's assault.

Since the root cause of these recurrent unlawful attacks against civilians is Israel's apartheid system against Palestinians, therefore Amnesty International is renewing its call on the ICC to consider the applicability of the crime against humanity of apartheid within its current formal investigation into the Situation in the State of Palestine. In order to prevent further harm to civilians, it is imperative that the ICC investigations are expedited and arrest warrants issued against alleged perpetrators of international crimes. Additionally, third states should ensure the prosecution of suspected international crimes before their courts under the principle of universal jurisdiction.

SERIOUS VIOLATIONS OF INTERNATIONAL LAW BY ISRAELI FORCES

Unlawful killings, including possible war crimes

From the outset of the military offensive, Israeli forces launched intensive aerial bombardments with the stated aim of killing high-ranking commanders of Al-Quds Brigades. During such attacks, Palestinian civilians were killed, including four children.

- ***Israeli air strikes on 9 May during an operation targeting Khalil al-Bahtini kill him and four Palestinian civilians, including two children, in al-Shuja'iyah, Gaza City***

“This young bride has died, her blood on the pillow. She never woke up. We lifted her but she was a lifeless body. She was light, extremely light.” – Alaa Adas, whose two daughters Dania and Iman were killed in the attack, speaking to Amnesty International.

At 2am on 9 May 2023, Israeli air strikes hit al-Sha'af neighbourhood in al-Shuja'iyah, Gaza City, targeting the house of Khalil al-Bahtini, a senior commander of Al-Quds Brigades. The strikes killed al-Bahtini as well as his wife Leila al-Bahtini and their four-year-old daughter Hajar. The neighbouring apartment in the two-storey building was also hit, killing 19-year-old Dania Adas, engaged to be married in July, and her sister Iman, a 17-year-old high school student. Five other

children were injured: Khalil al-Bahtini's two other daughters Sarah and Nada; Hamza Adas, the 13-year-old brother of Dania and Iman; and Hiyam Hassanein, an eight-year-old girl who lived in the same building.

Nader Hassanein, Hiyam's father, told Amnesty International: "My daughters were sleeping in the room closest to the apartment of al-Bahtini. When I opened the door, I saw rubble scattered in their room. And I heard my daughter cry 'I'm here daddy. Here I am daddy'."

Alaa Adas, the father of Dania and Iman, told Amnesty International: "The bombing was very heavy. The F-16 [sic] dropped three [bombs], their remnants could be seen on the rooftop. Not only did the destruction occur here, at my house, but all neighbours were affected by the destruction."

Amnesty International's weapons expert examined photos of the ammunition fragments that hit the building and identified the bomb as a GBU-39, a small-diameter bomb manufactured by Boeing Defense, Space & Security, and exported to Israel by the USA. Although this is a precision-guided bomb designed to minimize incidental damage, aspects of the attack mean it should be investigated as a likely disproportionate attack and possible war crime. These aspects include:

- the timing of the attack – at 2am when Khalil al-Bahtini's family and other families were likely to be asleep in the building;
- Israeli forces evidently knew that Khalil al-Bahtini was staying with his family, who have no military involvement with Al-Quds Brigades; and
- the proximity of other civilians living in the building.

These aspects suggest that those who planned and authorized the attack would have been able to anticipate significant loss of civilian life, injury to civilians and damage to civilian objects, and yet chose to conduct the air strike, disregarding the foreseen civilian casualties.

The issue of whether other precautions, including changing the time of the attack and whether an effective warning to civilians was feasible, should also be investigated. Indeed, Khalil al-Bahtini's wife, children and neighbours should have been afforded the protection granted to civilians not taking part in any hostilities. This includes the obligation to cancel or suspend an attack if it becomes apparent that it may be expected to cause disproportionate harm to civilians and civilian objects. Intentionally launching a disproportionate attack is a war crime.

The presence of a military objective, even a commander, does not deprive civilians in the commander's vicinity of their protection under international humanitarian law. The obligation to take necessary precautions to protect civilians and civilian objects includes:

- choosing means and methods of attack with a view to avoiding, or at least minimizing, civilian harm;
- giving effective warning to civilians where feasible; and
- refraining from launching an attack that may be expected to cause disproportionate loss of life or injury to civilians and damage to civilian objects.

From the information available, it appears that Israel failed to take these necessary precautions or disregarded disproportionate collateral damage.

In a [statement](#) issued after the attack, the Israeli army said: "Al-Bahtini was the group's senior operational commander and was responsible for approving and implementing terrorist operations from Gaza's northern district." The Israeli army's chief spokesperson Daniel Hagari was [quoted](#) in the Israeli press as saying: "This was a very complicated operation; two of the activists reside in the heart of Gaza City, in residential buildings, in apartments. This is one of the most densely populated places in the world."

- ***Israeli air strikes on 9 May during operation targeting Tariq Izziddine kill him and five Palestinian civilians, including two children, in al-Rimal neighbourhood, Gaza City***

"All of us were sleeping while my eldest brother was studying in his room. Suddenly I woke up to the sound of the missile [sic] and found that all the walls had collapsed on me." – Yazan Khaswan, whose parents and brother were killed during the attack on Tariq Izziddine, speaking to Amnesty International.

At 2am on 9 May 2023, Israeli air strikes hit a building in al-Rimal neighbourhood in Gaza City, targeting the fifth-floor apartment of Tariq Izziddine, a senior commander of Al-Quds Brigades. To penetrate down to the fifth floor, the first bomb hit the sixth-floor apartment of the Khaswan family and a second bomb was dropped afterwards, killing Tariq Izziddine and five civilians: dentist Jamal Khaswan, his wife Mirvat Khaswan and their 21-year-old son Yousef, a medical student;

and two of Tariq Izziddine's children – his 10-year-old daughter Mayar and his eight-year-old son Ali. At least three other civilians were injured. The residential building was severely damaged, particularly the fifth and sixth floors, leaving it uninhabitable.

Tamim Daoud, a five-year-old boy born with a congenital heart disease living in the neighbouring building, which was also damaged in the attack, suffered what appeared to be a severe panic attack following the bombing. "When the hubbub around us subsided, I noticed that something had changed in Tamim. His heart began beating quickly, he was scared and did not want to talk," his father Mohammed Daoud told Amnesty International. Tamim was taken to hospital at about 12pm, nearly 10 hours after the attack, where he was admitted to the intensive care unit. Tamim was pronounced dead at around 1am the following day. Medical reports that Tamim's family shared with Amnesty International show that since December 2022, when Tamim had a pacemaker fitted, his health had been improving.

The attack targeting the building where Tariq Izziddine was staying must be investigated as a likely disproportionate attack and possible war crime for the following reasons:

- the timing of the attack at 2am, when most residents would be in the building and asleep; and
- the decision to bomb parts of a residential building where civilians not taking part in any hostilities were staying.

These aspects suggest that those responsible for the attack should have anticipated – and yet disregarded - significant loss of life and injury to civilians, including Tariq Izziddine's children.

As outlined above, it appears that Israel again failed in its obligations to:

- take necessary precautions to protect civilians and civilian objects, which include the obligation to choose the means and methods of attack with a view to avoiding, or at least minimizing, civilian harm, including to give effective warning to civilians where feasible; and
- refrain from launching an attack that may be expected to cause disproportionate loss of life or injury to civilians and damage to civilian objects.

In an official statement following the targeted killing, the Israeli army said that Tariq Izziddine was "responsible for directing terrorist activities" in the West Bank from the Gaza Strip and was at the time "planning and promoting additional attacks against the residents of Israel."

Deliberate destruction of Palestinian homes

Israel's five-day offensive on the occupied Gaza Strip left a trail of destruction in its wake. According to the Gaza-based Ministry of Public Works and Housing, a [total](#) of 2,943 housing units were damaged by Israeli air strikes, including 103 housing units that were completely destroyed and 140 others that were severely damaged. Damage to infrastructure, and the general lack of safety that resulted from the fighting, led to the internal displacement of 1,244 Palestinians, including 224 families who lost their homes.

Article 53 of the Fourth Geneva Convention prohibits the Occupying Power from destroying private or public property, "except where such destruction is rendered absolutely necessary by military operations." Absolute military necessity that justifies destruction of homes and other civilian objects and infrastructure should be narrowly interpreted. Article 33 of the Fourth Geneva Convention prohibits collective punishments and reprisals against protected persons and their property.

Customary international humanitarian law prohibits attacks directed against civilian objects (objects that are not military objectives). Military objectives are limited to those that make an effective contribution to military action and whose destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage [ICRC Customary IHL Study, Rules 7-9].

In its documentation of attacks on homes and residential buildings in the Gaza Strip during Israel's May 2023 military offensive, Amnesty International identified a pattern of extensive destruction of property that failed to meet the exceptions under which attacking homes and other civilian objects would be justified. Indeed, the destruction of property fits into a wider pattern of unlawful attacks on civilian objects conducted by Israel during past offensives. The Israeli army's overly broad interpretation of military necessity and what constitutes a military objective has been consistently used to justify prohibited acts, including:

- destruction of family homes of suspected members of armed groups or those accused of carrying out attacks against Israelis;

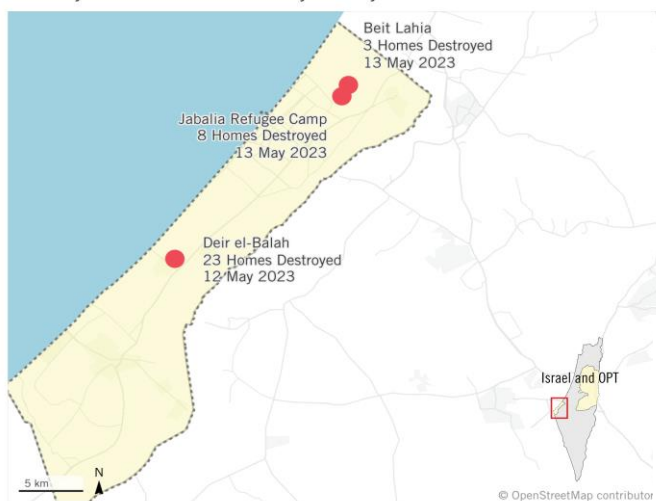
- targeting properties from which or near which Israel claims attacks were launched or could be launched;
- targeting properties Israel claims were used for cover during attacks; and
- destruction of properties to clear the Israeli army's lines of sight in areas considered as sensitive and/or to create buffer zones near potential targets.

Amnesty International has previously concluded that such extensive destruction of property also constitutes collective punishment.

The attacks described below violate the principle of distinction between civilian and military objects under customary international humanitarian law. Even if such attacks could have achieved military advantage, the evidence gathered in these cases suggests that the advantage would have been outweighed by the knowledge of the actual and potential damage to property and mass displacement of civilians, including people with disabilities. Additionally, the existence of the illegal blockade that Israel has been imposing on the Gaza Strip since 2007 compounds the disproportionate civilian harm of these attacks.

Destruction of Homes During Israel's May Offensive

Strikes by Israeli forces documented by Amnesty International



A map that shows three locations where Israeli strikes destroyed Palestinian homes during the May offensive on the occupied Gaza Strip. © Amnesty International

Extensive destruction of property, not justified by military necessity and carried out unlawfully and wantonly, is a grave breach of the Fourth Geneva Convention and constitutes a war crime [Fourth Geneva Convention, Article 147; Rome Statute, Art 8(2)(a)(iv)]. When such destruction is carried out for punitive reasons it constitutes the war crime of collective punishment. [ICRC Customary IHL Study, Rule 156].

Intentionally directing attacks against civilian objects is also a war crime [Rome Statute, Article 8(2)(b)(ii); ICRC Customary IHL Study Rule 156]. So too is intentionally launching an attack in the knowledge that the attack will cause incidental loss of life or injury to civilians or damage to civilian objects that would be clearly excessive in relation to the concrete and direct overall military advantage anticipated [Rome Statute, Art 8(2)(b)(iv); ICRC Customary IHL Study, Rule 156].

Furthermore, the extensive destruction of homes documented by Amnesty International violates the right to adequate housing protected by the International Covenant on Economic, Social and Cultural Rights to which Israel is a state party. [ICESCR, Art 11].

- ***Israeli air strikes on 12 May destroy or damage 23 Palestinian residential buildings in al-Matayna neighbourhood, central Gaza***

“It wasn’t just a strike; it was an earthquake. It shook the whole area; it smashed everything: stones, glass, windows, walls.” – Issa Sarsour, a resident of al-Matayna neighbourhood, speaking to Amnesty International.

At 8.30pm on 12 May 2023, an Israeli fighter jet attacked al-Matayna neighbourhood in Deir al-Balah, central Gaza, with what appears to have been a GBU-32/31 bomb, destroying or damaging 23 residential buildings, including the targeted two-storey building, which was home to two families and other residential buildings in its vicinity, in addition to a medical facility in the area. Eyewitnesses told Amnesty International that an anonymous caller, believed to be an Israeli intelligence

officer, called someone in the neighbourhood 15 minutes before the strike and ordered the residents of the entire neighbourhood to evacuate. The caller said the main target was the house of Yahia Abu Obeid, which had been rebuilt after being targeted and destroyed during Israel's 2014 offensive.



Deir al-Balah, central Gaza: False colour near-infrared imagery shown in the left photo highlights healthy vegetation in red hues and burned vegetation in darker black hues. On 12 May at 07:33 UTC, the area within the yellow square appears to have healthy vegetation present. On 13 May at 08:02 UTC, the vegetation appears burned where the bomb was reported to have struck as shown in the photo to the right. Historical imagery is shown to highlight the areas that appear burned in the satellite imagery. Image to the left © 2023 Planet Labs, Inc. Image to the right © 2023 Planet Labs, Inc Inset: Google Earth © 2023 Airbus

After examining photographs of the ammunition remnants taken by a fieldworker contracted by Amnesty International, as well as open-source footage of the aftermath of the strike, Amnesty International's weapons expert found no evidence that the neighbourhood had been used by any Palestinian armed group to store or manufacture weapons. There were no secondary explosions or conflagrations in the neighbourhood that would have likely resulted from stored weapons, nor was there any indication that rockets had been manufactured or fired from the targeted site or its immediate vicinity. It is also extremely unlikely that armed groups had used the targeted house to store sensitive electronic devices or command cyber operations that could in any way contribute to military operations.

"If their only objective was to shell our neighbour's house, they have the precise weapons to hit it without causing all this enormous damage to everyone," said Thuraya Abu Bakra, a 74-year-old widow who lives on her own in an apartment next to the targeted house in Deir al-Balah. "I was at my brother's house when they [Israeli forces] bombed the area. I returned after the ceasefire to see that everything in my house was broken to pieces, the windows, the furniture, the doors. The little olive orchard I had outside my house, it is my only companion, was completely destroyed."

Amnesty International analysed satellite imagery of the neighbourhood before and after the attack. This showed that the strike caused extensive damage and destruction and that it was not limited to Yahia Abu Obeid's house.

Several factors indicate that the Israeli attack did not meet the absolute military necessity requirement that would justify such destruction of property under international humanitarian law. These include:

- Amnesty International's research found that Yahia Abu Obeid is a fighter in the Al-Quds Brigades – not a military leader or key military commander;
- using a GBU-32/31 bomb, even though it is a precision-guided weapon, to target a house or building in the heart of a densely populated area would be expected to cause extensive civilian damage;
- the bomb was deployed on the pretext of destroying a militant's house, but there was no evidence that the house had been used for military purposes and therefore could not be considered a military objective; Amnesty International found that 10 civilians were living in that house;
- issuing a warning of the attack meant that it was very unlikely that had Yahia Abu Obeid been the target, he would have still been present during the attack;
- even if Israel thought that he was still present after the warning, targeting a rank-and-file member of an organization in these circumstances would be disproportionate given that the foreseeable, extensive destruction and damage caused to civilian objects would outweigh any anticipated military advantage;
- if the target of this attack was the home of Yahia Abu Obeid in al-Matayna neighbourhood, this was likely to be a direct attack on a civilian object; and

- the attack appears to have constituted prohibited destruction of property in occupied territory and a collective punishment.
- ***Israeli air strikes on 13 May destroy Palestinian homes and internally displace dozens, including people with disabilities***

“In Beit Lahia, everyone knows that we are peaceful people, we’re simple farmers and my brothers work in Israel. There is no reason to bomb our house.” – Azzam Banat, whose house was destroyed by an Israeli air strike on 13 May, speaking to Amnesty International.

On 13 May, the final day of the offensive, Amnesty International documented three cases of neighbourhood-wide property destruction the aim of which appears to be collective punishment of civilians, prohibited under Article 33 of the Fourth Geneva Convention and Article 50 of the Hague Regulations. These include destruction of homes and properties in Beit Lahia, Beit Hanoun and Jabalia. In all three cases, Amnesty International found no evidence that the targeted houses:

- constituted a legitimate military objective; or
- were in the immediate vicinity of legitimate military objectives.

In two of the cases - the destruction of the Za’anin house in Beit Hanoun and the destruction of the Nabhan house in Jabalia - Amnesty International interviewed people with disabilities who had been internally displaced as a result of the air strikes that made their homes uninhabitable.

In the third case, an Israeli fighter jet attacked Beit Lahia, northern Gaza, at around 10am, targeting a three-storey residential building belonging to the Banat family. The building, home to 22 civilians, including 12 children, was completely destroyed and several other homes in the area were severely damaged. The bombing resulted in the internal displacement of at least 41 civilians.

Faraj Banat told Amnesty International that an anonymous caller, believed to be an Israeli intelligence officer, warned him of the imminent attack and ordered him to evacuate and tell all of his neighbours in Beit Lahia square to evacuate too. “I asked him [the caller] why he intends to bomb the entire square and he said he wanted to bomb it because he holds a grudge against the entire square.” His brother Azzam, who took the phone from him and continued the conversation with the caller, added: “I asked him whether it was my brothers who were the targets of the bombing but received no answer.” Neighbours of the Banat family interviewed by Amnesty International said that the brothers have no military involvement and one of them “goes back and forth between Israel and Gaza for work quite regularly” (which means he has been through rigorous security clearance by Israel).

Atta Mousa Elayan, whose house was damaged by the bombing, told Amnesty International: “We started knocking at people’s homes to get everyone out... some women rushed out of their houses without having time to wear their headscarves. We did not even have time to carry our mobile phones and keys [and] could only carry with us our most basic belongings.”

After residents completed the evacuation, an Israeli drone fired a small missile which Israel’s considers a warning, and then the fighter jet fired the bomb. Azzam Banat told Amnesty International: “When the fighter jet fired the huge missile [sic], all of Beit Lahia rushed to our rescue. The intelligence officer on the line told me that he wants to drop another bomb and said that people should go away, but the presence of people protected the area from complete destruction, from another bombing.”

Amnesty International found no evidence that the targeted building had been used as a military facility or that it had contained any weapons or other military equipment belonging to Palestinian armed groups. If this is correct:

- the destruction of the Banat family homes and the severe damage to other nearby houses resulted from a direct attack on civilian objects in violation of the international humanitarian law principle of distinction;
- the attack may also constitute extensive destruction of property, not justified by military necessity and carried out unlawfully and wantonly, which is a grave breach of the Fourth Geneva Convention and constitutes a war crime; and
- the destruction in Beit Lahia, which was one of several Israeli attacks targeting homes in densely populated neighbourhoods, appears to constitute an act of unlawful collective punishment.

- **Israeli aerial bombardment on 13 May destroys apartment block of Nabhan family in Jabalia refugee camp, home to 42 people, including five with disabilities**

“If it were just about stones, they can be rebuilt. But what about the people who lived in those houses? They need special accommodations, they need houses [accessible] to them [because of their physical disabilities] and everything is destroyed beneath the rubble.” – Hussam Nabhan, an eyewitness to the destruction of the Nabhan family house in Jabalia refugee camp, speaking to Amnesty International.

At around 6.30pm on 13 May, an Israeli fighter jet dropped what appears to have been a GBU-32/31 bomb on a four-storey building of eight apartments belonging to the Nabhan family in Jabalia refugee camp in the northern Gaza Strip. The building was home to 42 people, five of them living with disabilities, including three wheelchair users. The residents were given only 15 minutes warning before the attack. This gave them insufficient time to carry out electric wheelchairs, which were then destroyed in the air strike.



Jabalia Refugee Camp, Gaza: Satellite imagery above shows a building in Jabalia Refugee Camp area on 11 August 2022 (left). On 23 May 2023 (right), imagery shows the building appears flattened with debris surrounding the area. © 2023 Planet Labs, Inc

Hussam Nabhan, who spoke on the phone with the anonymous caller who ordered the evacuation, told Amnesty International that he thought the call was a prank. “I asked him, if you are really [calling on behalf of] the Israel Defense Forces then fire a warning missile, and he replied that he would not fire a warning missile because that would be costly. So, I said a warning missile would cost you but destroying a home where 40 people live is not costly?”

Hussam Nabhan described to Amnesty International the difficulty of evacuating the children and particularly the adults with disabilities, who had to be carried, leaving behind their wheelchairs and other equipment essential for them.

Amnesty International spoke to Haneen Nabhan, a 22-year-old wheelchair user, on the phone 10 days after the bombing. “I will no longer be able to go to the beach on my own because I lost my [wheelchair],” she said.

Israeli forces made no statement to clarify the reasons for the attack on the Nabhan family home. A fieldworker contracted by Amnesty International visited the destroyed building and found no evidence that the house, or any other premises in the neighbourhood, had been used to store weapons or other military equipment or to fire rockets. No secondary explosions or conflagrations were reported following the air strike. It is also extremely unlikely that the house had been used to command cyber or other operations that could have contributed to military operations.

From the conversation between the Israeli intelligence officer and Hussam Nabhan, it could be inferred that a “wanted fighter” may have been thought to live there. However, Amnesty International found no evidence that the building was home to any Al-Quds Brigades military commander whose targeting would provide a definite military advantage.

Several factors indicate that violations of international humanitarian law constituting war crimes may have occurred:

- even if a fighter had been present in a civilian apartment building, this would not turn the entire building into a legitimate military objective;
- if the attack had been intended to target a fighter, it would have made no sense for the Israeli army to give a warning that would mean that the intended target would not be present when the bomb struck;
- if the target was a fighter, the military advantage anticipated from such an attack would be outweighed by the civilian damage resulting from the destruction of a four-storey building, home to 42 civilians, including at least 15 children and five individuals with disabilities, and their displacement, which clearly violates the proportionality requirement; and
- the attack therefore appears to have been a direct attack on a civilian object and to constitute prohibited destruction of property and a likely a form of collective punishment.

UNLAWFUL ATTACKS BY PALESTINIAN ARMED GROUPS

According to Amnesty International’s research and documentation provided by Palestinian human rights groups, rockets fired from the Gaza Strip by Palestinian armed groups killed two civilians in Israel and three civilians in the Gaza Strip.

- ***Palestinian rockets kill an Israeli woman and a Palestinian man inside Israel***

During Israel’s five-day offensive, rockets fired by Palestinian armed groups from the Gaza Strip into Israel killed two civilians and, according to the Israeli health ministry, [injured](#) 40.

On 11 May, [Inga Avramyan](#), aged 82, was killed when a Palestinian rocket struck an apartment building in Rehovot. Five other people, including her husband Sergei, were wounded. Family members of Inga Avramyan [told](#) Israeli media that the couple had a shelter in their apartment but could not reach it in time because Sergei uses a wheelchair.

On 13 May, [Abdullah Abu Jibbeh](#), aged 35, a Palestinian construction worker and resident of al-Zeitoun neighbourhood in Gaza City, was killed when a rocket fired by Palestinian Islamic Jihad struck a construction site in Shokeda, a town in southern Israel. His brother Hamed, who was working on the same site, was critically wounded. The Israeli daily newspaper [Haaretz](#) reported that no sirens were heard before the rockets fell and that construction work had continued contrary to instructions by Israel’s Home Front Command. Jibril Abu Jibbeh, the father of Abdullah and Hamed, told Amnesty International that Abdullah had been working in Israel for almost a year. “He has six children – four daughters and two sons – the eldest is just 11. Hamed is still receiving treatment at Soroka hospital in Beersheba and we’re hoping that his eyes can be saved.”

Whatever their target, the rockets fired by Al-Quds Brigades are inherently inaccurate and their use against areas populated with civilians is indiscriminate, violates international humanitarian law and should be investigated as possible war crimes.

- ***Palestinian rockets kill three Palestinians, including two children, in Gaza***

Amnesty International documented three civilian fatalities in the Gaza Strip, including two children, which appear to have been caused by rockets fired by Palestinian armed groups. The documentation is consistent with information provided by local Palestinian human rights organizations.

Just before 4pm on 10 May, coinciding with a barrage of rockets fired from the Gaza Strip towards Israel, a rocket fell short and hit al-Sahaba street in Gaza City, killing two children: Layan Mdoukh, aged 10; and Yazan Alayan, aged 16.

“Layan was playing in her mother’s room and suddenly she heard the sound of rockets and she looked out of the window to see what was going on and the rocket immediately tore her to pieces,” Yasser Mdoukh, Layan’s uncle, told Amnesty International.

Yazan Alayan, who lived in a neighbouring house, was killed in the same attack. Another child was critically wounded.

“I was sitting by the window of my third-floor home and saw a barrage of rockets going up,” said Abdullah Alayan, the 22-year-old brother of Yazan. “My father, mother and brother were with me at home. After I saw the barrage of rockets, I heard nothing except for the sound of an explosion and everything went black.”

He added: “When my vision cleared up a bit, I saw phantoms: my mother standing and shrapnel all over her legs and I held her and could hardly support her; I saw my father on the ground and all the rubble has fallen on his feet. I was looking for my brother. Where is my brother? He was beneath the rubble and I heard his sighs and groans.”

Shortly after being taken to hospital, Yazan was pronounced dead.

Eyewitnesses who spoke on condition of anonymity told the fieldworker contracted by Amnesty International that individuals affiliated with Palestinian Islamic Jihad removed remnants of the rockets in the immediate aftermath of the incident in al-Sahaba street. The removal of remnants of weapons is a recurrent pattern in the aftermath of attacks attributed to malfunctioning Palestinian rockets, which Amnesty International documented in the August 2022 and other previous Israeli offensives.

Whatever their intended target, rockets fired by Palestinian armed groups, including Al-Quds Brigades, are inherently inaccurate, so their use in areas populated by civilians is indiscriminate and violates international humanitarian law. This means that the fatalities caused by Palestinian rockets landing in al-Sahaba street in Gaza City must be investigated as a possible war crime.

APARTHEID, WAR CRIMES AND IMPUNITY

Amnesty International is publishing this analysis exactly one month after the ceasefire agreement between Israel and Palestinian armed groups; the ceasefire may have marked the official end of the latest Israeli offensive, but the suffering of over two million people in Gaza living under Israel’s blockade, especially those who lost loved ones during the assault or those who were internally displaced or traumatised by it, has no end in sight. Israel’s recurrent unlawful attacks – and the blockade it has imposed on the Gaza Strip since 2007 and its associated arbitrary restrictions – are part and parcel of the system of apartheid that segregates, dominates, oppresses and fragments Palestinians. As first steps towards dismantling this unlawful system, Israeli authorities must immediately lift their illegal blockade on the Gaza Strip and put an end to all forms of collective punishment, including the arbitrary restrictions on freedom of movement. The international community cannot continue to grant Israel’s impunity for its violations of international law. Amnesty International calls on the member states of the United Nations General Assembly to take action, including by expediting the re-establishment of the Special Committee against Apartheid, which was originally established under UN General Assembly Resolution 1761 (XVII) of 6 November 1962.